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THE ENERGY (ENERGY MANAGEMENT) REGULATIONS, 2025

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Energy Act

The Energy (Energy Management) Regulations, 2025

Legal Notice 18 of 2025

Legislation as at 7 February 2025

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The Energy (Energy Management) Regulations, 2025 (Legal Notice 18 of 2025)
Contents

ENERGY ACT

THE ENERGY (ENERGY MANAGEMENT) REGULATIONS, 2025

LEGAL NOTICE 18 OF 2025

Published in Kenya Gazette on 7 February 2025

Commenced on 7 February 2025

Part I – PRELIMINARY

1. Citation

These Regulations may be cited as the as the Energy (Energy Management) Regulations, 2024.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Energy Act (Cap. 314);

“accredited institution” means an institution approved by a relevant body mandated by the law for purposes of offering certification in energy management;

“Authority” means the Energy and Petroleum Regulatory Authority, established under section 9 of the Act;

“bankable engineering and financial analysis” means technical and economic assessment of energy use and energy conservation measures in a facility, which can be used to raise debt and equity capital from a financial institution or an investor;

“designated facility” means a facility designated by the Authority under section 188 of the Act;

“energy audit” has the meaning assigned to it under section 2 of the Act;

“energy auditor” means a person licensed by the Authority to undertake energy audits;

“Energy Auditor Category 1 ‘EA1’” means a person licensed as a Category 1 Energy Auditor;

“Energy Auditor Category 2 ‘EA2’” means a person licensed as a Category 2 Energy Auditor;

“energy audit firm” means a corporate entity licensed by the Authority to undertake energy audits;

“Energy Audit Firm 1 ‘EAF1” means an entity licensed as a Category 1 Energy Audit Firm;

“Energy Audit Firm 2 ‘EAF2” means an entity licensed as a Category 2 Energy Audit Firm;

“energy investment plan” means a summary of recommended energy conservation measures and activities, as recommended in an energy audit report, with the allocated timelines and resources;

“energy manager ” means a person licensed by the Authority, and responsible for the coordination and promotion of the energy management system activities and for energy performance improvement in designated facilities;

“energy management policy statement” means a document maintained by a designated facility describing its intention, direction and commitment related to its energy performance;

“energy savings credit” means a value or quantity assigned to a unit of saved energy in an energy efficiency and conservation measure, that may be obtained by a designated facility for the purpose of achieving published energy performance benchmarks;

"energy service company" means an entity licensed by the Authority for the purposes of designing, financing, procurement, development and management of energy conservation projects;

"energy performance benchmark" means set energy utilisation parameters where energy consuming facilities can compare themselves with;

"energy trading scheme" means a market platform for sale and purchase of energy saving credits;

"engineering and financial analysis" means technical and economic assessment of energy use and energy conservation measures, for facilities sole internal investment decisions;

"general energy audit" means an energy audit with engineering and financial analysis;

"investment grade energy audit" means an energy audit with detailed bankable engineering and financial analysis;

"Kenya Standards" has the meaning assigned to it under Standards Act (Cap. 496);

"licensee" means a holder of any licence issued under the Act;

"measurement and verification" means the process of planning, measuring, collecting data, analysing, verifying and reporting energy performance for a defined system or process;

"owner of a designated facility" means an operator, lessee or proprietor of a designated facility.

"person" means a natural or juridical person;

"quality control energy audit" means an independent review carried out by the Authority or its agent to determine whether an energy audit conducted by a designated facility, complies with the Act and these Regulations; and

"Tribunal" means the Energy and Petroleum Tribunal established under section 25 of the Act.

3. Purpose of the Regulations

The purpose of these Regulations is to promote energy management in commercial, industrial and institutional facilities with the aim of reducing energy consumption per unit of production.

4. Application

These Regulations shall apply to—

(a) owners of designated facilities;

(b) energy auditors;

(c) energy audit firms;

(d) energy managers; and

(e) energy service companies.

Part II – DESIGNATION OF FACILITIES

5. Designation of facilities

Any commercial, industrial or institutional facility that consumes more than 180,000 kWh of thermal and electrical energy per year is classified as a designated facility.

Part III – ENERGY MANAGER AND ENERGY MANAGEMENT COMMITTEE

6. Energy manager and energy management committee

(1) The owner of a designated facility shall engage the services of an energy manager.

(2) The energy manager shall be responsible for the co-ordination and promotion of energy efficiency and conservation programmes within the designated facility.

(3) The owner of a designated facility shall appoint an energy management committee responsible for energy management programmes.

(4) The composition and responsibilities of the energy management committee shall be as set out in the First Schedule.

(5) An owner of a designated facility who fails to engage the services of an energy manager as required in subregulation 1 commits an offence, and shall on conviction, be liable to a fine not exceeding one million shillings or imprisonment not exceeding six (6) months.

Part IV – ENERGY MANAGEMENT POLICY STATEMENT AND ENERGY AUDITS

7. Energy management policy statement

(1) The owner of a designated facility shall develop an energy management policy statement in accordance with the guidelines set out in the Second Schedule.

(2) The owner of the designated facility shall submit the energy management policy statement to the Authority for approval.

(3) The Authority shall, within thirty days of submission of the energy management policy statement by a designated facility, review the energy management policy statement and approve or reject it with reasons.

(4) The owner of the designated facility shall periodically review and update the energy management policy statement, not later than every four years from the date of approval.

8. Energy audits

(1) The owner of a designated facility shall undertake an energy audit at least once every four years.

(2) The energy audit in sub regulation (1) shall be conducted by a licensed energy auditor, an energy audit firm or an energy service company.

(3) An energy manager in a designated facility shall not conduct an energy audit of the facility.

(4) The energy audit in sub-regulation (1) shall be conducted in accordance with Kenya Standards.

(5) The energy audit report shall be in the form set out in the Third Schedule.

(6) An owner of a designated facility who fails to undertake an energy audit as required in sub-regulation (1) commits an offence, and shall on conviction be liable to a penalty set out under section 189(2) of the Act.

9. Submission of the audit report to the Authority

(1) The owner of a designated facility shall within one month of undertaking an energy audit, submit the energy audit report to the Authority.

(2) The Authority shall, within thirty days of receipt of an energy audit report, review the energy audit report and approve or reject it with reasons.

(3) Where the Authority rejects an energy audit report, it shall require the owner of the designated facility to review and re-submit the energy audit report within thirty days of the rejection or repeat the energy audit within a period of six months from the date of rejection.

(4) The Authority or its agents may carry out a quality control energy audit upon giving a minimum of five days' notice to the owner of the designated facility.

(5) The owner of a designated facility shall grant the Authority or its agents access to the facility for purposes of conducting a quality control energy audit.

(6) An owner of a designated facility who fails to grant access to the Authority or its agents as required in sub-regulation (5) commits an offence and shall on conviction be liable to a fine not exceeding one million shillings or imprisonment for a term not exceeding six (6) months.

10. Investment plan, implementation and reporting

(1) An owner of a designated facility shall within six months from the approval of the energy audit report, prepare and submit to the Authority an energy investment plan for the implementation of the energy conservation measures in the approved energy audit.

(2) In implementing the energy investment plan, the owner of a designated facility shall ensure—

(a) That they realize at least fifty percent of the recommended energy savings, within three years of submission of the energy investment plan to the Authority; and

(b) that the designated facility complies with the energy performance indicators published by the Authority from time to time.

(3) The owner of a designated facility shall submit to the Authority an annual implementation report in the form set out in the Fourth Schedule.

(4) The Authority or its agent may undertake an inspection to verify the implementation report upon giving a minimum notice period of five days to the owner of the designated facility.

Part V – MEASUREMENT AND VERIFICATION OF ENERGY PERFORMANCE

11. Measurement and verification

(1) A holder of an Energy Auditor licence with certification on Measurement and Verification Protocol as provided under regulation 17(a) shall undertake the measurement and verification of the implemented energy conservation measures.

(2) The measurement and verification referred to in sub regulation (1) shall comply with the relevant Kenya Standards.

Part VI – ENERGY PERFORMANCE INDICATORS AND ENERGY SAVINGS CERTIFICATES

12. Energy Performance Indicators

(1) The Authority shall publish on its website, sector-based minimum energy performance benchmarks.

(2) The Authority shall review the energy performance benchmarks referred to in subsection (1) every three years.

(3) The owner of a designated facility shall, during each energy audit exercise, determine its energy performance indicator for purposes of complying with the published benchmarks.

13. Remedial plan

(1) A designated facility that does not meet the minimum energy performance benchmarks established under regulation 12, shall submit to the Authority a remedial plan to meet the energy performance benchmarks.

(2) The remedial plan may include the purchase of energy saving credits in accordance with regulation 15.

(3) The Authority shall within thirty days of receiving the remedial plan under sub regulation (1), review and approve or reject the remedial plan with reasons.

(4) The owner of a designated facility shall implement the approved remedial plan within two years from the date of approval.

(5) The Authority may inspect facilities to verify compliance with the benchmarks referred to under regulation 12.

(6) The Authority may issue a written notification to the facility in case of non-compliance.

(7) The owner of a designated facility that does not comply with the applicable benchmarks commits an offence and shall, on conviction, be liable to the penalties set out under section 189(2) of the Act.

14. Energy savings certificate

(1) The owner of a designated facility that meets the energy performance benchmarks may apply to the Authority for an energy savings certificate.

(2) The application in subregulation (1) shall be accompanied by the information and documentation specified in the Fifth Schedule.

(3) The Authority shall process the application in subregulation (1) within sixty days of receipt of the application and may grant the designated facility an energy savings certificate.

(4) The energy savings certificate shall indicate the number of tradable energy savings credits in kilowatt-hours determined from the annual energy saved from implementation of energy saving measures.

15. Energy Trading Scheme

(1) There shall be an energy trading scheme for dealing in the trade of energy saving credits.

(2) The Authority shall publish on its website, the tradable energy saving credits that are available for sale.

(3) A designated facility may purchase energy saving credits from a designated facility with an energy savings certificate for purposes of meeting the minimum energy benchmarks.

(4) An owner of a designated facility shall, within seven days of the transaction, notify the Authority of the purchase of energy saving credits in the form set out in the Sixth Schedule.

(5) The Authority shall, in writing, acknowledge the transaction to parties and update the database of tradable energy savings credits records.

(6) The energy savings credits purchased under subregulation (3) shall be valid for the period of four years from the last energy audit conducted at the purchaser's facility.

Part VIII – LICENSING OF ENERGY AUDITORS, ENERGY MANAGERS, ENERGY AUDIT FIRMS AND ENERGY SERVICE COMPANIES

16. Licensing of energy auditors and managers

(1) A person shall not—

(a) carry out an energy audit;

(b) undertake measurement and verification of energy performance;

(c) be employed or contracted as an energy manager; or

(d) coordinate or promote energy management system activities that improve energy performance in designated facilities;

unless that person is licensed by the Authority.

(2) A person who intends to undertake the activities set out under subregulation (1) shall make an application to the Authority in the Form set out in the Ninth Schedule.

(3) The Authority shall issue a licence under these Regulations where the applicant satisfies the qualifications, training and experience set out in the Seventh Schedule.

17. Categories of licences for energy auditors and managers

The Authority may on receipt of an application under regulation 16, grant the applicant one of the following categories of licence—

(a) Energy auditor with certification on Measurement and Verification Protocol licence, which shall entitle the holder to undertake investment grade and general energy audits in a designated facility, and undertake measurement and verification of energy performance;

(b) Energy Auditor Category 1 licence which shall entitle the holder to undertake investment grade and general energy audits in a designated facility;

(c) Energy Auditor Category 2 licence which shall entitle the holder to undertake general energy audits in a designated facility; or

(d) Energy Manager licence which shall entitle the holder to undertake co-ordination and promotion of energy efficiency and conservation programmes within a designated facility.

18. Authority to examine applicants

The Authority shall examine an applicant who has applied for a licence under regulation 17 in such a manner as it may determine and upon any matter or thing in connection with the application for the purpose of ascertaining the applicant's qualifications and suitability for grant of a particular class of licence.

19. Licensing of energy audit firms

(1) A person shall not carry out an energy audit or undertake measurement and verification of energy performance as an audit firm unless licensed by the Authority.

(2) A person that intends to carry out the activities set out in subregulation (1), shall make an application to the Authority in the form set out in the Ninth Schedule.

20. Categories of licences for energy audit firms

(1) The Authority may, on receipt of an application under regulation 19 grant the applicant one of the following categories of licence—

(a) Energy Auditor Firm Category 1 licence, which shall entitle the holder to undertake investment grade and general energy audits in a designated facility, and have in its employment an energy auditor of category EMVP or EA1; or

(b) Energy Auditor Firm 2 licence, which shall entitle the holder to undertake general energy audits in a designated facility, and have in its employment an energy auditor of category Energy Auditor Category 2.

(2) An energy audit firm that conducts energy audits beyond the scope of its licence commits an offence and shall on conviction be liable to a fine not exceeding one million shillings or to imprisonment for a term not exceeding six (6) months.

21. Licensing of energy service companies

(1) A person shall not offer the services of an energy service company unless licensed by the Authority.

(2) A person who intends to offer the services of an energy service company shall make an application to the Authority in the form prescribed in the Ninth Schedule.

(3) The Authority may on receipt of an application grant the applicant a licence to—

(a) undertake general and investment grade audits; or

(b) design, finance, procure, develop, build or manage energy conservation projects.

(4) The energy service company shall have in its employment an energy auditor of category EMVP licence.

22. Energy Service Company contracts

(1) A designated facility and an energy service company shall enter into an energy performance contract to govern their relationship and set out the obligations of each party, prior to commencement of work.

(2) The energy performance contract shall comprise of minimum requirements provided in the Eighth Schedule.

23. Determination of applications

(1) An application for a licence under these Regulations shall be made—

(a) electronically or in any other manner that the Authority may require;

(b) in the form set out in the Ninth Schedule;

(c) accompanied by proof of payment of the application fees set out in Tenth Schedule; and

(d) accompanied by the documentation set out in the Eleventh Schedule.

(2) The Authority shall process the application and communicate the outcome to the applicant within —

(a) sixty days from the date of receipt of an application for licensing or upgrade of an energy auditor or energy manager licence;

(b) thirty days from the date of receipt of application for licensing as an energy audit firm or an energy Service company; or

(c) thirty days from the date of receipt of an application for the renewal of a licence.

(3) Where the applicant satisfies the requirements under these Regulations, the Authority shall issue the applicant with a licence in the form set out in the Twelfth Schedule.

24. Validity of licence

A licence issued under these Regulations shall be valid for a period of twelve months.

25. Renewal and replacement of licences

(1) An application for the renewal of a licence shall be made—

(a) electronically or in any other manner that the Authority may require; and

(b) in the form set out in the Ninth Schedule.

(2) An application for the renewal of a licence shall be made at least thirty days before its expiry.

(3) The application in subregulation (1) shall be accompanied by the proof of payment of the annual fees specified in the Tenth Schedule and documentation set out in the Eleventh Schedule.

(4) An energy auditor or an energy manager who wishes to renew his or her licence shall be required to have obtained at least thirty credit points through continuous professional development as set out in the Thirteenth Schedule.

(5) The Authority shall renew the licence of an applicant that has met the conditions of the licence and obtained the requisite continuous professional development credit points.

(6) A licensee who applies for renewal of licence after its expiry date shall pay the annual fees for the period where the licence was not renewed.

(7) Subregulation (6) shall not apply where the licensee has, before expiry of the licence, applied to the Authority in writing for deferment of the licence.

(8) The Authority shall consider the application for deferment of the licence and accept or reject with written reasons within thirty days of receipt of the application for the deferment of the licence.

26. Upgrading of a licence

(1) An energy auditor who wishes to upgrade a licence shall make an application to the Authority in the form set out in the Ninth Schedule.

(2) The Authority shall approve the upgrade of an energy auditor licence where the auditor has met the required academic and professional qualification, and job experience set out in the Seventh Schedule.

(3) The application for upgrade shall be done at least one year after the issuance of the current licence.

(4) The Authority shall approve the upgrading of an energy audit firm's licence where the firm demonstrates that it has in its employment an energy auditor with the required category of licence.

(5) A licence upgrade shall be subject to the licensee paying the licensing fees for the applied category, as specified in the Tenth Schedule.

27. Replacement of a licence

(1) Where a licensee demonstrates to the Authority that a physical licence has been lost, destroyed or defaced, the Authority shall issue a duplicate licence subject to payment of the replacement fees specified in Tenth Schedule.

(2) An application for the replacement of a licence under subregulation (1) shall be in the form set out in the Ninth Schedule, and shall be accompanied by the documentation specified in the Eleventh Schedule.

28. Suspension or revocation of licence

(1) The Authority may suspend or revoke any licence issued under these Regulations where it is satisfied that a licensee has breached the provisions of these Regulations or any conditions attached to the licence.

(2) The Authority shall give a notice of not less than thirty days requiring the licensee to show cause why the licence should not be suspended or revoked.

(3) A notice to show cause issued under subregulation (2) shall set out the specific areas of non-compliance.

29. Registers

The Authority shall maintain and publish on its website a register of—

(a) approved energy management policy statements;

(b) designated facilities issued with energy savings certificates; and

(c) licensees.

30. Conformity to Kenya Standards

(1) An owner of a designated facility and licensee shall comply with the relevant Kenya Standards as set out in the Fourteenth Schedule.

(2) The Authority shall publish on its website an up to date list of the relevant Kenya Standards.

31. Health, environmental and safety obligations

A licensee shall comply with all the applicable health, safety and environmental laws.

32. Insurance cover

A licensee shall maintain an insurance cover for any works undertaken pursuant to these Regulations.

33. Maintenance and submission of data

(1) The owner of a designated facility shall maintain records relating to energy consumption at the facility for a minimum of five years.

(2) The records shall comprise of the following—

(a) monthly consumption of electric energy, fuel including biomass and petroleum products and water;

(b) monthly production data, occupancy levels and any other variable affecting energy consumption;

(c) energy consuming equipment or machines and their ratings; and

(d) up to date building plans, infrastructure plans, and floor area.

(3) The owner of a designated facility shall on an annual basis submit the data specified in subregulation (1) to the Authority in written form.

(4) A licensee shall on an annual basis submit information on any energy audits undertaken or energy conservation projects implemented.

(5) An owner of a designated facility who fails to maintain records as required in subregulation (1) commits an offence, and shall on conviction, be liable to a fine as per section 188(5) of the Act.

Part VIII – POWERS OF INSPECTION AND COMPLIANCE ORDERS

34. Powers of inspection

The Authority or its agent may carry out inspection to ensure compliance with these Regulations.

35. Compliance orders

(1) Where the Authority establishes that any provisions of these Regulations have been contravened, or are likely to be contravened, the Authority shall issue a compliance order.

(2) A compliance order issued under subregulation (1) shall state the—

(a) specific provisions which have been or are likely to be contravened;

(b) measures which should be taken to rectify the contravention; and

(c) period within which the order shall be complied with.

Part IX – OFFENCES, FINES AND PENALTIES

36. Offences, fines and penalties

(1) A person who offers the services of an energy manager, an energy auditor, an energy audit firm or an energy service company without a licence commits an offence and shall be liable upon conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding six (6) months.

(2) An owner of a designated facility, who denies the Authority or its agent access to a designated facility for purposes of inspecting or enforcing compliance with these Regulations, commits an offence and shall be liable upon conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding six (6) months

37. General provisions

(1) Payment of fines in this regulation shall not indemnify a licensee from any obligations to compensate a designated facility.

(2) Any fines which are not paid shall be a civil debt recoverable summarily.

(3) The fines in subregulation 2 are without prejudice to the right of the Authority to suspend or revoke the license.

Part X – COMPLAINTS, DISPUTES AND APPEALS

38. Complaints and disputes to be referred to the Authority

Any complaints or disputes under these Regulations shall be referred to the Authority for resolution in accordance with the Energy (Complaints and Disputes Resolution) Regulations, 2012 (L.N. 42 of 2012).

39. Appeals

Any person who is dissatisfied by a decision of the Authority may lodge an appeal with the Tribunal within fourteen days of the Authority's decision.

Part XI – REPEAL

40. Repeal

The Energy (Energy Management) Regulations, 2012 (L.N. No. 102 of 2012) are repealed.

FIRST SCHEDULE [r. 6(4)]

COMPOSITION AND DUTIES OF THE ENERGY MANAGEMENT COMMITTEE

1.

Composition

The energy management committee of a designated facility shall include representatives from key departments of the designated facility. This shall include but not limited to the—

(a) chief executive officer or equivalent position in the facility;

(b) energy manager (Secretary);

(c) representative from the compliance department;

(d) representative from the production / operations department;

(e) representative from the engineering / maintenance department;

(f) representative from the human resources and administration department;

(g) representative from the procurement department;

(h) representative from the security department; and

(i) representative from the finance department.

2.

The Duties

The duties of the energy management committee shall include—

(a) planning, monitoring and evaluation of energy management programmes;

(b) formulation of the energy management policy and policy statement;

(c) developing a framework for capacity building of members of staff; and

(d) developing energy and energy systems procurement frameworks to promote energy efficiency.

SECOND SCHEDULE [r. 7(1)]

GUIDELINES FOR PREPARATION OF AN ENERGY MANAGEMENT POLICY STATEMENT

1.

An energy management policy statement shall include a commitment to—

(a) improve energy efficiency and conservation with clear targets;

(b) comply with the Act and these Regulations;

(c) provide resources necessary to achieve energy efficiency and conservation;

(d) establish and implement a strategic plan for energy efficiency and conservation;

(e) train staff to ensure competence in energy efficiency and conservation; and

(f) develop a framework for setting and reviewing energy targets in the facility.

2.

The owner of the designated facility shall ensure that the energy management policy statement is endorsed for application in the facility.

3.

The owner of the designated facility shall ensure that the energy management policy statement is communicated to all staff.

4.

Implementation of the energy management policy statement shall cover all the aspects and operations of the facility including—

(a) production;

(b) maintenance;

(c) procurement;

(d) security; and

(e) recruitment.

THIRD SCHEDULE [r. 8(5)]

GUIDELINES FOR ENERGY AUDIT REPORT

1.

COVER PAGE

(a) Title of the Report;

(b) Name of client (company for which the facility has been audited);

(c) Physical location of the facility;

(d) Date of report (month and year); and

(e) Name and address of lead energy auditor and/or energy audit firm or energy service company.

2.

QUALITY ASSURANCE DECLARATION FORM

We have conducted an energy audit as set out in the Energy (Energy Management) Regulations 2024, which comprise the company energy consumption and costs as at ..... (Date).

Auditor's Responsibility

Our responsibility is to express an opinion on the energy supply and end use based on our audit. We conducted our audit in accordance with the International Standards on Energy Auditing. The standards require that we comply with technical and ethical requirements of energy auditing.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

We wish to report to you, based on our audit, that we have obtained/not obtained information and explanations which, to the best of our knowledge, were necessary for the purposes of our audit.

Licensed Energy Auditor

Name: _____

Licence Number: _____

National ID/Passport Number: _____

Signature: _____

Date: _____

AUDIT TEAM MEMBERS AND THEIR ROLES.

To include both internal and external audit team where applicable.

3.

EXECUTIVE SUMMARY

All information in the executive summary shall be drawn from the detailed information in the report. The executive summary shall contain a brief description of the audit, including but not limited to—

(a) name of client, location of facility audited and dates of the audit;

(b) objectives of the audit;

(c) methods, tools used and the areas audited;

(d) status of implementation of previous audit recommendations where applicable;

(e) summary of energy use and consumption which must include energy utilization index; and

(f) summary of recommended energy conservation measures, annual energy savings and cost savings using the table format below:

No.	Recom-mended Measure	Estimated Impleme-ntation Cost	Estimated Annual Energy Savings (kWh)	Estimated Annual Monetary Savings	Estimated Annual CO_2 Reduction (kg)	Simple Payback Period	Internal Rate of Return	Net Present Value (NPV)
1								
2								
Total								

(g) Summary of other recommendations (for example alternative energy sources)

No.	Recomm-ended Source	Estimated Impleme-ntation Cost	Estimated Annual Energy Supply (kWh)	Estimated Annual Monetary Savings	Estimated Annual Co_2 Reduction (kg)	Simple Payback Period	Internal Rate of Return (IRR)	Discounted Return on Investment (ROI)	Net Present Value (NPV)
1									
2									
Total									

(h) Suggested implementation plan

4.

INTRODUCTION

(a) Brief description of the processes at the facility;

(b) Objectives of the energy audit; and

(c) Scope of the energy audit.

5.

METHODS AND TOOLS USED

The method section shall contain the following—

(a) the procedure used for collection and analysis of the secondary data;

(b) process used for prioritization and obtaining the inventory of energy consumption equipment and systems;

(c) the list of data collection and measurement tools, and instruments used;

(d) sampling, equipment and measurement error analysis;

(e) procedure used for primary data collection;

(f) relevant variables provided by the organisation for example operating parameters and production data;

(g) method used for analysis of the facility's energy performance and determination of energy performance indicators;

(h) criteria for identification and ranking of opportunities for energy efficiency and conservation measures; and

(i) the financial criteria and technical/operational limitations and assumptions. All the assumptions made in taking measurements, calculations, and financial analysis.

6.

ENERGY CONSUMPTION, HISTORICAL DATA ANALYSIS AND ESTABLISHMENT OF BASELINE

(a) inventory of key energy consuming equipment and systems, with their ratings and annual time of operation (may be annexed);

(b) review of energy, production and service level data for the baseline period (at least 12 months preceding the audit);

(c) description of systems or equipment audited, their capacities and ratings, design and operating conditions;

(d) establishment of baseline energy consumption data such as the energy efficiency index (EEI – kWh/m^2/year) of buildings, defined as the amount of energy consumed annually per Gross Floor Area (GFA) of the building or specific energy intensity (kWh/unit of production); and

(e) energy and mass balance where applicable.

7.

MEASUREMENT, PROCESS DESCRIPTION AND ENERGY PERFORMANCE ANALYSIS

(a) measurements carried during the energy audit process shall involve the whole process and not limited to the single equipment;

(b) energy auditors should demonstrate the relationship between energy performance and the operations of the whole system through measurements;

(c) energy auditors should analyse and calculate energy performance, energy efficiency or energy utilisation intensity of the whole system (system audit) and not just for the equipment. *Example, in conveyor system, analysis should be for the performance of the whole conveyor and not the motor only; and*

(d) explanation should be given at what operation point measurement and analysis were carried out, that is what production capacity of the system, say 100%, 70% or 40%. The auditor should project what could have been the performance if the system was operating at optimal point.

8.

IDENTIFIED ENERGY SAVING MEASURES AND/OR ALTERNATIVE ENERGY SOLUTIONS

(a) Brief description of the present situation and shortcomings identified;

(b) Pictures and maps showing the locations of the instruments and sensors in use during the audit;

(c) Recommended energy saving measures with clear and detailed calculations of the projected annual energy and cost savings, estimated investment cost and the financial appraisal for each measure using life-cycle-costing. All the data used should be supported by primary and/or secondary sources and the assumptions must be stated;

(d) Alternative energy solutions; and

(e) Additionally, for Investment Grade Audit;

(i) Recommended energy saving measures should include a brief description of the performance of current energy efficiency technologies (for equipment and systems) in the market. Compare them, explain their disadvantages and any risk associated with each of them.

(ii) Sensitivity analysis for various energy conservation measures

9.

PROPOSED ENERGY INVESTMENT PLAN

(a) A description of resource allocation for implementation of the energy efficiency and conservation measures recommended in the energy audit report. This should detail the time frame and required resources and anything else which is relevant for the project;

(b) Summary of targets for the measures to include: projected annual kWh savings, estimated cost savings, estimated investment cost and investment indicators such as discounted payback period, discounted return on investment (ROI), internal rate of return (IRR) and net present value (NPV). All the data used should be supported by primary or secondary sources and the assumptions must be stated;

(c) Additionally, for investment grade audits—

(i) Explain various financing methods available in the local market and carry out financial sensitivity analysis for each energy efficiency and conservation measure recommended for implementation.

(ii) Carry out risk analysis for each energy conservation measure accompanying each given energy efficiency and conservation measure.

10.

MONITORING AND VERIFICATION

(a) Explain the monitoring and verification process to be used after implementation for assessment of the recommended energy conservation measures.

(b) And for investment grade audit, estimate the cost of carrying out measurement and verification of each recommended energy efficiency and conservation measure.

11.

MEETINGS

(a) Minutes of the opening and closing meetings or any other meeting between the energy auditor and the clients or client representatives;

(b) The meetings should be attended by at least two-thirds of the members who sit in the energy management committee meetings;

(c) The meetings shall, in addition to other deliberations, clearly indicate persons nominated by the facility owner to accompany the energy auditor during the energy audit process. The roles of each person nominated should clearly be indicated; and

(d) Minutes may be part of the Appendices.

12.

APPENDICES

(a) Information of significant importance, which cannot be presented as a part of the main report shall be presented in appendices;

(b) The appendices shall include—

(a) schematics and layout drawings of facility or building audited;

(b) data plots of performance of systems or equipment audited. Alternative (Explanation of the operations and performance, showing data plots and how operations are affecting energy performance);

(c) energy efficiency of major equipment compared against designed efficiency and manufacturers specification.

(d) measurement and verification (M&V) plan for monitoring and verifying energy savings for each of the recommendations;

(e) evidence of opening and closing meetings (minutes and attendance registers);

(f) presentation to the designated facility; and

(g) a soft copy of all the raw measurement data.

13.

GENERAL NOTES TO THE REPORT

(a) Documentation – All data and assumptions utilised in the analysis shall be documented. This include all calculations related to energy savings, cost savings and financial appraisal tools;

(b) All calculations in the report shall be checked for mathematical accuracy;

(c) SI units must be used in all parts of the report;

(d) Grammar and style – The report shall be in English, legible, paginated and written in proper prose. The language shall be clear, concise and understandable;

(e) All graphs and plots shall be properly labelled and should indicate the dates when the readings were taken. These shall first be introduced in the text, then discussed and cross referenced;

(f) The report shall be printed on both sides to save paper and either book or spiral bound;

(g) Reference to all the appendices shall be made in the main report;

(h) A hard and soft copy of the report shall be submitted to the Authority; and

(i) Citation, referencing and plagiarism – Proper and accurate citations and referencing shall be indicated for all materials and works attributable to other sources. Clearly identify and cite (according to academic conventions) any borrowed numbers, ideas, or material and document all source material. Self-plagiarized reports shall not be admitted.

FOURTH SCHEDULE [r. 10(3)]

GUIDELINES FOR IMPLEMENTATION REPORT

1.

COVER PAGE

(a) Title of the Report;

(b) Name of designated facility;

(c) Physical location of designated facility;

(d) Date of report; and

(e) Name and licence number of energy manager.

2.

EXECUTIVE SUMMARY

All information in the executive summary shall be drawn from the detailed information in the full report. The executive summary should contain a brief description of the following—

(a) name of designated facility, location of facility or building audited;

(b) measures implemented; and

(c) summary of energy saving measures, and the measured annual energy and cost savings in table format as shown below.

No.	Recommended Energy Saving Measure	Projected Annual Energy Savings	Actual Annual Energy Savings	Percentage Deviation	Projected Annual Cost Savings	Actual Annual Cost Savings	Percentage Deviation	Discounted Return on Investment (ROI)	Annual CO_2 Reduction	Measurement and Verification Method Used
Total										

3.

MEASURES IMPLEMENTED AND COST OF IMPLEMENTATION

(a) details of measures implemented;

(b) description of systems or equipment modified, their capacities and ratings, design conditions, equipment schedules, including information such as the type of systems, type of controls, type and number of auxiliary equipment;

(c) milestone chart showing the timeline of implementation; and

(d) cost breakdown of each measure in table format, with reference to the payment documents.

4.

MEASUREMENTS AND CALCULATIONS

Details of the measurement and verification protocol adopted to quantify the savings that shall include—

(a) formulae and key data used for calculations;

(b) detailed instrumentation plan;

(c) parameters monitored and duration of monitoring of each parameter;

(d) dates of data collection and logging;

(e) performance of systems or equipment; and

(f) findings and observations.

5.

SAVINGS ACHIEVED

(a) Summary of the measures implemented the projected and actual annual energy savings, and the projected and actual annual cost savings. This shall be normalized to energy consumption independent variables.

(b) Statement by the organisation on whether or not the implementation meets the organisation's savings target stated in the audit report.

6.

APPENDICES

Information with significant importance, which cannot be presented as a part of the main report (because of number of pages, quality of presentation, *etc*.) shall be presented as appendices.

(a) raw data presented in summarised format in the main report;

(b) energy performance curves or charts for equipment analysed in the report; and

(c) current energy bills.

7.

GENERAL NOTES

(a) documentation – All numbers related to the results shall be supported by information showing how they were derived. This includes all energy savings, cost savings and financial appraisal tools;

(b) all calculations in the report shall be checked for mathematical accuracy;

(c) international system of units (SI) units must be used in all parts of the report;

(d) grammar and style – The report shall be in English, legible, paginated and written in proper prose. The language shall be clear, concise and understandable;

(e) all graphs and plots shall be properly labelled and shall indicate the dates when the readings were taken. This shall first be introduced in the text, then discussed and cross referenced;

(f) the report shall be printed on both sides to save paper and either book or spiral bound;

(g) reference to all the appendices shall be made in the main report;

(h) a hard and soft copy of the report shall be submitted to the Authority; and

(i) citation, referencing and plagiarism – Proper and accurate citations and referencing shall be indicated for all materials and works attributable to other sources. Clearly identify and cite (according to academic conventions) any borrowed numbers, ideas, or material and document all source material. Self-plagiarized reports shall not be admissible.

FIFTH SCHEDULE [r. 14(2)]

REQUIREMENTS FOR ENERGY SAVINGS CERTIFICATE APPLICATION

The requirements for applying for an energy savings certificate shall include—

(a) an energy management policy statement approved by the Authority;

(b) records of maintained data for the last five years as provided in Regulation 33(1);

(c) evidence of appointment of facility energy manager and an energy management committee;

(d) latest/current energy audit report approved by the Authority;

(e) energy investment plan with acknowledgement from the Authority;

(f) records of annual implementation reports submitted to the Authority;

(g) evidence of having implemented the recommendations of the audit and having achieved at least 50% of the potential energy savings;

(h) evidence of the facility having met the sector set benchmarks where applicable; and

(i) any other information that the Authority may from time to time require.

SIXTH SCHEDULE [r. 15(4)]

NOTIFICATION OF PURCHASE OF ENERGY SAVING CREDITS

The Director General

Energy and Petroleum Regulatory Authority

Box 42681-00100, GPO

NAIROBI

I, ... hereby notify the Authority of the purchase of energy saving credits from ..... *(name of seller)* amounting to ..... kWh to improve my EER from ..... to ..... The value of the energy saving credits being purchased is Kshs. ..... based on my current average tariff of .....

Period (date dd/ mm/year	Sector set benchmark (in EER)	Facility's (EER)	Facility Energy Utilisation Index (kWh/relevant independent variable) (A)	Number of Energy Saving Credits Purchased in (kWh) (B)	Value of Energy Saving Credits Purchased in (KShs)	Deficit of Energy Saving Credit (kWh) (A-B)

SEVENTH SCHEDULE [r.16(3)]

LICENCE APPLICATION REQUIREMENTS

Part 1: Energy Auditor – Minimum Academic and Professional Qualifications and Experience

To be licensed as an energy auditor an applicant must have a minimum of any one of the following combinations of academic and professional qualifications and experience—

No.	Qualification/ experience	Minimum requirement	
1.	Academic (Education)	A Bachelor of Science or Technology or Engineering degree or Higher National Diploma in Electrical, Mechanical, Chemical, Mechatronic, or Energy Engineering or;	
		Any other relevant degree from a University recognized in Kenya and must have course units in thermodynamics, circuits and network theory, fluid mechanics and electrical machines.	
2.	Professional or post graduate	Have a relevant energy management certification from an accredited institution or Post Graduate Diploma in Energy Management or Master of Science degree in Energy Management from a University recognised in Kenya.	
3	Experience	EA1	Have conducted at least three (3) energy audits two (2) of which must be in a manufacturing facility and one (1) of which must be an investment grade audit.
		EA2	Have conducted at least three (3) energy audits two (2) of which must be in a manufacturing facility.
		EMVP	Have certification in measurement and verification from a body recognised by the Authority;Conducted at least five (5) energy audits, two (2) of which must be in a manufacturing facility, and;carried out measurement and verification of at least one energy conservation project

Part II: Energy Manager –Minimum Academic and Professional Qualifications and Experience

To be licensed as an energy manager an applicant must be an energy auditor or have a minimum of any one of the following combinations of academic and professional qualifications and experience

No.	Qualification	Minimum Requirement
1.	Academic qualification	Bachelor's degree or Higher National Diploma or Diploma in Engineering, Physical Sciences or any related field and energy management certification from an institution recognised in Kenya.
2.	Professional qualification	Attended trainings by recognised trainers in at least two of the following aspects: financial engineering, energy management, project management, measurement and verification, appliances energy efficiency, and report writing.
3.	Experience	Two years' experience in an energy consuming facility.

EIGHTH SCHEDULE [r. 22(2)]

ENERGY SERVICE CONTRACTS

The Energy Service Contracts shall include the following information:

1. Contact Details of the owner of the designated facility and ESCO (Physical location, email address, contact address *etc*.)
2. Definition of Terms
3. Nature of Contract (Guaranteed savings/shared savings *etc*., earning period)
4. Description/Feasibility Study of the Energy Conservation Project(s)

   May include schedules for;

   (a) Setting of energy measurement baseline and adjustments

   (b) Energy baseline period

   (c) Measurement and verification protocol to be applied (how to measure energy and financial savings)

   (d) Target savings
5. Commencement of energy savings determination and terms. (may include annexures of construction equipment approval, system start-up and commissioning, operating parameters of installed equipment and certificate of acceptance of installed equipment)
6. Responsibilities of each party (Data collection and provision, facility access, environmental requirements, permits and approvals)
7. Equipment maintenance, warranties and compatibility
8. Malfunction and emergencies
9. Insurance

10. Payments (Mode and interval of invoicing and payment, defaults)
11. Dispute Resolution
12. Applicable laws
13. Conflict of interest/confidentiality
14. Exit/termination of contracts

NINTH SCHEDULE [r. 23(1)(b), r. 25(1)(b), r. 26(1), r. 27(2))]

APPLICATION FORMS

A.

APPLICATION FOR LICENSING AS AN ENERGY AUDITOR

The Director General

Energy and Petroleum Regulatory Authority

P.O Box 42681-00100, GPO

NAIROBI

I, ... hereby apply to be licensed as an Energy Auditor in accordance with the Energy (Energy Management) Regulations, 2021 as a Category _____ (EMVP/EA1/EA2) Auditor.

I commit to carry out all energy audits in accordance with the Energy (Energy Management) Regulations, 2021 and any other applicable statutory requirements.

Purpose of Application: New Application ☐ Renewal Upgrade ☐ Replacement ☐

(Please tick (√) as appropriate)

(Please tick (√) as appropriate)

1. Name of applicant: .....

(Block capitals, surname first)

2. Date of Birth: .....
3. Nationality .....
4. National Identity Card/Passport Number: .....
5. KRA Personal Identification Number (PIN): .....

6 Contact details:

a. Telephone number(s): .....

b. Postal Address: .....

c. Email Address: .....

7. Name and address of present employer, if any .....

8. Designation:

9. Academic Qualifications: .....

a) .....

b) .....

10. Professional Qualifications:

a) .....

b) .....

(You may provide detailed information in separate sheets)

11. Other specific qualification on energy related subjects (if any)

.....

.....

(You may provide detailed information in separate sheets)

12. Membership of professional and/or technical associations

a) .....

b) .....

13. Have you applied for licensing in the past?

Yes ☐ No ☐ If yes,

i. Licence No .....

ii. Date of Issue .....

14. Employment Record

Period from /To	Name of Company	Position Held	Responsibilities and Experience

15. Previous energy audits participated in

Energy Audit Dates (Month/ year)	Audited facility Location	Energy Audit type (Investment grade/ General)	Client's Name, Address/ Contact Information	Lead Auditor	
				Name Licence No.	Licence No.

16. Provide legible certified copies of national identity card or passport, academic, professional and training certificates and any other information that the Authority may from time to time prescribe.

17. Valid professional indemnity cover (Applicable for renewal applications).

I declare that the particulars given by me are true and accurate. I understand that it is an offence to give false information in an application for licensing.

Date: ..... Signature of Applicant: .....

REFEREES

(The following details to be completed by two independent referees who must have known the applicant's ability very well)

1st Referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name: .....

(Block letters, surname first)

Occupation: .....

Postal address: .....

Email Address: .....

Telephone number(s): .....

Energy Auditor Licence No.: .....

I have known the above person for ..... years.

Date: ..... Signature of 1st referee: .....

2nd Referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name: .....

(Block letters, surname first)

Occupation: .....

Postal address: .....

Email Address: .....

Telephone number(s): .....

Energy Auditor Licence No.: .....

I have known the above person for ..... years.

Date: ..... Signature of 2nd referee: .....

B.

APPLICATION FOR A LICENCE AS AN ENERGY MANAGER

Director General

Energy and Petroleum Regulatory Authority

P.O Box 42681-00100, GPO

NAIROBI

I, ... hereby apply to be Licenced as an Energy Manager in accordance with the Energy (Energy Management) Regulations, 2020.

Purpose of Application: New Application ☐ Renewal

(Please tick (√) as appropriate)

1. Name of applicant: .....

(Block capitals, surname first)

2. Date of Birth: .....

3. Nationality .....

4. National Identity Card/Passport Number: .....

5. KRA Personal Identification Number (PIN): .....

6 Contact details:

a. Telephone number(s): .....

b. Postal Address: .....

c. Email Address: .....

7. Name and address of present employer, if any .....

8. Designation:

9. Academic Qualifications: .....

a) .....

b) .....

10. Professional Qualifications:

a) .....

b) .....

(You may provide detailed information in separate sheets)

11. Other specific qualification on energy related subjects (if any)

.....

.....

(You may provide detailed information in separate sheets)

12. Membership of professional and/or technical associations

    a) .....

    b) .....

13. Have you applied for licensing in the past?Yes ☐ No ☐If yes,

    i. Licence No .....

    ii. Issued on .....

14. Employment Record

Period from /To	Name of Company	Position Held	Responsibilities and Experience

15. Provide legible certified copies of national identity card or passport, academic, professional and training certificates and any other information that the Authority may from time to time prescribe.

I declare that the particulars given by me are true and accurate. I understand that it is an offence to give false information in an application for licensing.

Date: ..... Signature of Applicant: .....

REFEREES

(The following details to be completed by two independent referees who must have known the applicant's ability very well)

1st Referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name: .....

(Block letters, surname first)

Occupation: .....

Postal address: .....

Email Address: .....

Telephone number(s): .....

Energy Auditor Licence No.: .....

I have known the above person for ..... years.

Date: ..... Signature of 1st referee: .....

2nd Referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name: .....

(Block letters, surname first)

Occupation: .....

Postal address: .....

Email Address: .....

Telephone number(s): .....

Energy Auditor Licence No.: .....

I have known the above person for ..... years.

Date: ..... Signature of 2nd referee: .....

C.

APPLICATION FOR A LICENCE TO BE AN ENERGY AUDIT FIRM OR ENERGY SERVICE COMPANY (ESCO)

The Director General

Energy and Petroleum Regulatory Authority

Box 42681-00100, GPO

NAIROBI

I/We, ... hereby apply to be licensed as an Energy Audit Firm / ESCO in accordance with the Energy (Energy Management) Regulations, 2021 as a Category EAF1 / EAF2 Audit Firm /ESCO

(Tick as appropriate).

I/We commit to carry out all energy audits and/or implement all energy conservation projects in accordance with the Energy (Energy Management) Regulations, 2021 and any other applicable statutory requirements.

Note:

(a) A category EAF1 energy audit firm shall be required to be, or to have in his employment a category EMVP licensee or EA1 energy auditor;

(b) A category EAF2 energy audit firm shall be required to be, or to have in his employment a category EA2 licensee; and

(c) An ESCO shall be required to be, or to have in his employment a category EMVP licensee.

Purpose of Application:

New Application ☐ Renewal ☐ Upgrade ☐ Replacement ☐

(Please tick (√) as appropriate)

(Please tick (√) as appropriate)

1. Company Name: .....

(Block capitals)

2. Type of company (Category EAF1 or EAF2 Energy Audit Firm or ESCO

.....

3. Date: .....
4. KRA Personal Identification Number (PIN): .....
5. Contact details:
    (a) Physical Address: .....
    (b) Telephone number(s): .....
    (c) Postal Address: .....
    (d) Email Address: .....
    (e) Website (If any): .....

6. Details of licensed Energy Auditor (i.e. lead auditor):
    (a) Name: .....
    (b) Nationality: .....
    (c) National identity card/Passport Number: .....
    (d) Telephone number(s): .....
    (e) Email Address: .....
    (f) Licence Number: .....
7. Provide legible copies of the following documents:
    (a) Copy of Business Name Registration Certificate or Certificate of Incorporation and Memorandum and Articles of Association in case of a company (whichever is applicable;
    (b) Form CR12 from the registrar of companies not older than 12 calendar months from the date of issue;
    (c) Personal Identification Number (PIN) certificate from the Kenya Revenue Authority;
    (d) Valid tax compliance certificate from the Kenya Revenue Authority;
    (e) Valid single business permit from the County Government;
    (f) Proof of occupancy of Company's office;
    (g) Identification documents (National identity cards or Passports) for all company directors;
    (h) Certified copy of a valid work permit for foreign directors working in Kenya or notarized declaration of non-residence for foreign directors not residing in Kenya;
    (i) Signed consent letter between the energy audit firm/ESCO and the licensed energy auditor;
    (j) Professional Indemnity (applicable for renewal); and
    (k) Any other document/information that the Authority may from time to time prescribe.

I/We declare that the particulars given by me/us are true and accurate. I/We understand that it is an offence to give false information in an application for licensing.

Date: ..... Signature of Applicant: .....

TENTH SCHEDULE [r. 23(1)(c), r. 25(3), r. 26(5), r. 27(1)]

LICENSING FEES

1. To be licensed as an energy auditor or energy manager, the following fees shall apply—

Licensee	Application fees (Kshs)	Annual licence fees (Kshs)	Replacement fees (Kshs)
Energy Manager	250	500	500
Energy Auditor Category EA2	500	750	500

Energy Auditor Category EA1	750	1,000	500
Energy Auditor Category EA1	1,000	1,500	500

2. To be licensed as an energy audit firm or energy service companies, the following fees shall apply—

Licensee	Application fees (Kshs)	Annual licence fees (Kshs)	Replacement fees (Kshs)
Energy Audit Firm Category EAF2	500	1,000	1,000
Energy Audit Firm Category EAF1	750	2,000	1,000
ESCO	1,000	3,000	1,000

ELEVENTH SCHEDULE [r. 23(1)(d), r. 25(3), r. 27(2)]

DOCUMENTATION TO ACCOMPANY APPLICATIONS FOR LICENCES

A. New Applications

Energy Auditors and Energy Managers Licence

1. Duly filled application form.
2. Copy of National Identity Card or Passport
3. **Certificates**
   (a) Diploma, Degree Certificate;
   (b) Post Graduate Certificate;
   (c) Energy Management Certification Certificate; and
   (d) Certified Measurement and Verification Certificate.
4. Energy Audit reports
5. Letter of referral from an Energy Auditor

Energy Audit Firms and ESCOs Licence

1. Duly filled application form documenting all requirements
2. Certified copy of the certificate of incorporation or business registration certificate.

3. Certified copy of Form CR 12 from the Registrar of Companies or Form CR 13 from the Registrar of Companies issued within the last twelve months from the date of issue.
4. Certified copies of identification documents (National Identification Card or Passports) for all the company's directors.
5. Certified copy of a valid Work Permit Class "G" for foreign directors working in Kenya or notarized declaration of non-residence for foreign directors not residing in Kenya.
6. Certified copy of a valid Single Business Permit from the County Government.
7. Copy of PIN Certificate.
8. Copy of a valid tax compliance certificate.
9. Proof of occupancy of the applicant's office
10. List of instruments that shall be prescribed by the Authority as at the time of application.

**Professional Indemnity Cover to be submitted upon successfully completing the process.*

B. Renewal

1. Duly filled application form documenting all requirements.
2. Documentation listed in paragraph (A)
3. Proof of accumulation of at least thirty credit points through continuing professional development.
4. Proof of professional indemnity cover

C. Replacement of Licences

1. Duly filled application form
2. Police Abstract issued by the National Police Service indicating when and where the licence was lost or original copy of the defaced licence.

D. New Applications

Energy Auditor and Energy Manager Licence

1. Duly filled application form.
2. Solar photovoltaic training certificate from an accredited institution
3. Completion certificates of work done detailing the following
    (a) solar photovoltaic system location;
    (b) date solar photovoltaic system completed;
    (c) solar photovoltaic system information (photovoltaic array size, number of inverters and total cumulative inverter capacity);
    (d) name, phone number and licence number of licensed installers the applicant worked under; and,
    (e) description of work performed by the applicant.
4. Design documentation signed and stamped by the company they worked for (where applicable).
5. Proof of training in at least three units or courses specific to electrical engineering, for non-electrical certificate holders.

Contractor's Licence

1. Duly filled application form documenting all requirements

2. Certified copy of the certificate of incorporation or business registration certificate.
3. Certified copy of Form CR 12 from the Registrar of Companies or Form CR 13 from the Registrar of Companies issued within the last twelve months from the date of issue.
4. Certified copies of identification documents (National Identification Card or Passports) for all the company's directors.
5. Certified copy of a valid Work Permit Class "G" for foreign directors working in Kenya or notarized declaration of non-residence for foreign directors not residing in Kenya.
6. Certified copy of a valid Single Business Permit from the County Government.
7. Copy of PIN Certificate.
8. Copy of a valid tax compliance certificate.
9. Proof of occupancy of the applicant’s office
10. Signed consent letter between the contractor and solar photovoltaic worker attested by a commissioner for oaths clearly indicating the engagement period, which period shall not be less than one year using a template prescribed by the Authority as at the time of application.
11. List of commissioning instruments that shall be prescribed by the Authority as at the time of application.

**Professional Indemnity Cover to be submitted upon successfully completing the process.*

E. Renewal

1. Duly filled application form documenting all requirements.
2. Documentation listed in paragraph (A)
3. Proof of accumulation of at least thirty credit points through continuing professional development.
4. Proof of professional indemnity cover

F. Replacement of Licences

1. Duly filled application form
2. Police Abstract issued by the National Police Service indicating when and where the licence was lost or original copy of the defaced licence.

TWELFTH SCHEDULE [r. 23(3)]

FORM OF LICENCE

CERTIFICATION OF REGISTRATION OF

ENERGY AUDIT FIRM / ESCO

License Number:.....

This is to Certify that

COMPANY NAME

+254 .....

Of Tel/mobile:

P.O. Box [ ] *Code* [ ] *Town* [ ]

Having duly complied with all the requirements of the above Regulations is hereby registered as

This Day, Month, Year

Energy Audit Firm

For the purpose of this certificate, the Licensed Energy Auditor(s) and the License No(s) is/ are

Auditor Name	Licence Number

This License Expires on Day/Month/Year

Signature _____

Director General
Energy and Petroleum Regulatory Authority

Terms & Conditions

GENERAL CONDITIONS

1. The licence is valid for one (1) calendar year as provided on the licence issued.
2. Application for licence renewal shall be made not less than thirty (30) days before the license expiry date
3. The licensee shall not transfer or otherwise divest any rights, powers or obligations conferred or imposed on him by the license without permission from the Energy and Petroleum Regulatory Authority.
4. The licensee shall ensure replacement of the licence if lost, defaced or destroyed. For a lost licence, the licensee shall provide a police abstract.
5. The licensee shall file returns of audits carried out through the online licensing portal immediately the audit is completed and approved or in any case not later than 31st March of the subsequent year.
6. Upon withdrawal of the licensed energy auditor from the licensed firm, the license shall be valid for thirty (30) days a period which the Authority will require the firm to provide an alternative energy auditor.
7. The licensee shall not carry out any works unless the licence valid.

SPECIFIC CONDITIONS

1. The holder of Class A Licence shall carry out General Grade and Investment Grade while Class B license will ONLY carry out General Grade Audits.
2. Audits carried out by licensee and the subsequent report shall be of quality, adhering to universal energy engineering principles and professional standards. All calculations in the report should be checked for mathematical accuracy.
3. The reports generated shall be properly cited, articulated in proper diction, devoid of grammatical and structural errors.
4. The licensee must ensure that his audit findings are presented to the facility before finalizing the report for signature.
5. A licensee who acts contrary to the conditions stated herein and provisions in the Regulations shall have the license revoked.

THIRTEENTH SCHEDULE [r. 25(4)]

CONTINUING PROFESSIONAL DEVELOPMENT

The licensee shall accumulate a minimum of ten (10) credit points per year and thus, thirty (30) points at the expiry of the licence as follows—

1. Attending relevant trainings or seminars or workshops; 0.2 credit points per contact hour.

2. Facilitating relevant seminar, training or workshop as a resource person; 0.5 credit points per contact hour.
3. Presenting a paper on a relevant topic at a conference or publishing a paper in a journal; each paper 2 credit points.
4. Project credit points earned through experience gained from conducting energy audits or measurement and verification of energy savings according to the category of license as follows—

Type of audit	*Project credit points*
Walk-through audit	2
General energy audit	5
Investment grade energy audit	10

5. The project credit points shall account for a minimum of 24 points and a maximum of 26.

FOURTEENTH SCHEDULE [r. 30(1)]

KENYAN STANDARDS RELEVANT TO THE REGULATIONS

1. KS ISO 50001:2018, Energy management systems - Requirements with guidance for use.
2. KS ISO 50002:2014, Energy Audits-Requirements with guidance for use.
3. KS ISO 50003: 2014, Energy management systems -Requirements for bodies providing audit and certification of energy management systems.
4. KS ISO 50004: 2014, Energy management systems - Guidance for the implementation, maintenance and improvement of an energy management system.
5. KS ISO 50006:2014, Energy management Systems-Measuring energy performance using energy baselines (EnBs) and energy performance indicators (EnPIs) — General principles and guidance.
6. KS ISO 50015:2014, Energy management Systems — Measurement and verification of energy performance of Organizations — General principles and guidance.
7. KS ISO 25745-1:2012, Energy performance of lifts, escalators and moving walks — Part 1: Energy measurement and verification.
8. KS ISO 25745-2:2015, Energy performance of lifts, escalators and moving walks — Part 2: Energy calculation and classification for lifts (elevators).
9. KS ISO 25745-3:2015, Energy performance of lifts, escalators and moving walks — Part 3: Energy calculation and classification of escalators and moving walks.
10. KS ISO 11011: 2013, Compressed Air-Energy efficiency-Assessment.
11. KS 2805-1:2018, Energy audits Part 1: Buildings.
12. KS ISO/IEC 13273-1:2015, Energy efficiency and renewable energy sources — Common international terminology - Part 1: Energy efficiency.
13. KS 2750: 2017, Measurement and verification of energy savings.

14. KS 2805-2:2020, Energy audits Part 2: Processes.
15. KS ISO 50001:2018, Energy management systems - Requirements with guidance for use.
16. KS ISO/TS 50008:2018, Energy management and energy savings — Building energy data management for energy performance — Guidance for a systemic data exchange approach.
17. KS ISO 50007:2017, Energy services — Guidelines for the assessment and improvement of the energy service to users.
18. KS ISO 50021:2019, Energy management and energy savings — General guidelines for selecting energy savings evaluators.
19. KS ISO 50046:2019, General methods for predicting energy savings.
20. KS ISO 50045:2019 Kenya Standard — Technical guidelines for the evaluation of energy savings of thermal power plants.
21. KS ISO/TS 50044:2019 Kenya Standard — Energy saving projects (EnSPs) — Guidelines for economic and financial evaluation.